

Serial No. 09/909,196Response to December 28, 2004 Office Action -8-Docket No. 1232-4742**REMARKS****I. Status of the Claims**

Claims 1-27 are currently pending in the application.

By this Amendment, claims 6, 10, 18 and 22 have been cancelled, and claims 1, 4, 5, 7, 8, 13, 16, 17, 19-21 and 23-25 have been amended. Claims 26 and 27 are newly presented. No new matter has been introduced by this Amendment.

**II. Response to Rejections under 35 U.S.C. §112, First Paragraph:**

Claims 5-8, 17-19 and 20 have been rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement.

Claims 5, 7, 8, 17, 19 and 20 have been amended to more clearly define the present invention. Claims 6 and 18 have been cancelled.

The applicant also contends that the terms cited by the Examiner are defined in the specification. "A scan count" and control aspects of the invention utilizing the scan count are disclosed at least on page 18, line 20 to page 19, line 3 of the specification. Please also see FIG. 7 for additional support. The figure describes the contents of a shading data file, including the scan count and related information. Accordingly, the rejection under 35 U.S.C. §112, first paragraph should be withdrawn.

**II. Rejections Under 35 U.S.C. §102 (b):**

Claims 1-4, 9-16 and 21-56 have been rejected under 35 U.S.C. §102(e) as being anticipated by Hamasuna (US 6,032,864).

Independent claims 1, 13 and 25 have been amended to include requirements including storing correction data for each of a plurality of operable modes and updating the correction data when a scan count has reached a predetermined value. By storing and updating the correction data in this way, it is possible to save time for acquiring correction data while maintaining correction quality. These limitations were originally included in claims 5 and 17, which were not examined on the merits.

As amended, claims 1, 13 and 24 are believed to be distinct from Hamasuna. Hamasuna discloses a method of storing correction data for a plurality of scan modes in memory. However, it does not disclose or suggest a system to update the stored correction data

Serial No. 09/909,196Response to December 28, 2004 Office Action -9-Docket No. 1232-4742

when a scan count has reached a predetermined value. Using the same correction data without updating it results in the degradation of correction quality. This can be due to the change in utilization environment or the aging of the apparatus. Thus, the advantage realized by updating the correction data is not achieved by the system in Hamasuna.

Accordingly, independent claims 1,13 and 25 are distinct from the Hamasuna system. Dependant claims 2-12, 13-24, 26 and 27 are likewise distinguishable based on their dependence on claims 1 and 13 respectively.

Serial No. 09/909,196Response to December 28, 2004 Office Action -10-Docket No. 1232-4742**CONCLUSION**

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

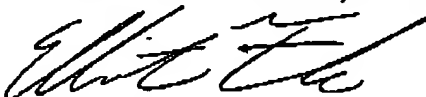
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 1232-5232. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 1232-4742. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: March 28, 2005

By:



Elliot Frank

Registration No. 56,641

(202)-857-8037 Telephone

(202) 857-7929 Facsimile

**Correspondence Address:**

MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101